

**REMARKS**

**A. The Section 102 Rejections**

Claims 1-25 were rejected under 35 U.S.C. §102(a) based on U. S. Patent Publication No. 2003/0063613 to Carpini et al (“Carpini”). Applicant disagrees and traverses these rejections for at least the following reasons.

Each of the claims of the present invention includes the feature of, among other things, the re-routing of traffic from a bi-directional Label Switched Path (LSP) and the use of a switch-over message by a merging network device to re-route traffic traveling along the bi-directional LSP in a backwards direction. Carpini does not appear to disclose or suggest either feature.

Contrary to the Examiner’s position, Carpini does not appear to disclose “bi-directional LSPs”. Instead, Carpini appears to disclose the use of separate, one-way LSPs; one for the forward direction and one for the backwards direction.

In addition, there is no disclosure or suggestion of a switch-over message being used by a merging network device to re-route traffic in a backwards direction. The excerpts cited in the Office Action (paragraph 47, lines 15-19) appear to relate to the detection of a “fault indication” message, not a switch-over message. The former relates to fault detection; the latter relates to the re-routing of traffic along an alternative, bi-directional LSP in a backwards direction.

Because Carpini does not disclose each and every feature of claims 1-25 it cannot anticipate the subject matter of these claims under 35 U.S.C. §102(a). Accordingly, Applicant respectfully requests withdrawal of the pending rejections and allowance of claims 1-25.

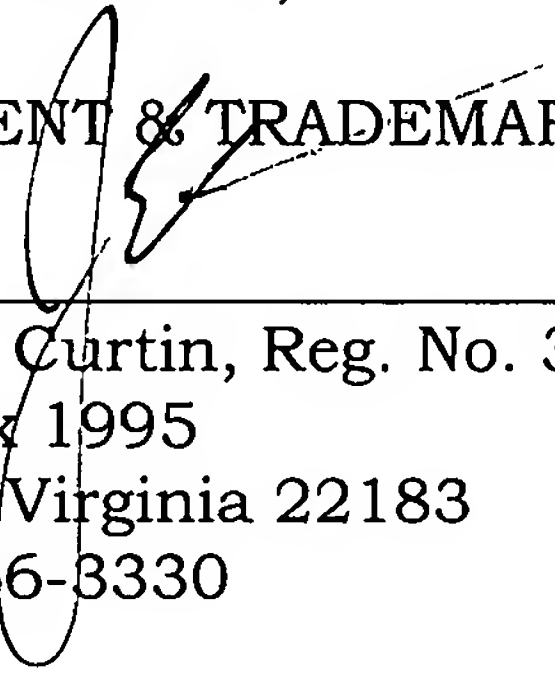
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC.

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